1 2 3 U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON Sep 14, 2022 4 SEAN F. McAVOY, CLERK 5 UNITED STATES DISTRICT COURT EASTERN DISTRICT OF WASHINGTON 6 NIKKILEE T., 7 NO: 1:22-CV-3028-RMP Plaintiff, 8 ORDER GRANTING PARTIES' 9 STIPULATED MOTION TO REMAND v. 10 COMMISSIONER OF SOCIAL SECURITY, 11 Defendant. 12 BEFORE THE COURT is the parties' Stipulated Motion to Remand pursuant 13 to sentence four of 42 U.S.C. § 405(g). ECF No. 14. Plaintiff Nikkilee T.¹ is 14 represented by attorney D. James Tree. The Commissioner of Social Security is 15 16 represented by Special Assistant United States Attorney Jeffrey R. McClain. 17 After consideration, IT IS HEREBY ORDERED that the parties' Stipulated 18 Motion for Remand, ECF No. 14, is GRANTED. Pursuant to the parties' 19 20

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ORDER GRANTING PARTIES' STIPULATED MOTION TO REMAND ~ 1

¹ The Court uses Plaintiff's first name and last initial to protect his privacy.

1	stipulation, the Commissioner's final decision is reversed and remanded for
2	further proceedings pursuant to sentence four of 42 U.S.C. §405(g). Upon remand
3	to the Commissioner of Social Security, an Administrative Law Judge ("ALJ") shall
4	conduct a de novo hearing and issue a new decision. See ECF No. 14-1 at 1–2. The
5	ALJ will reevaluate, as necessary: the opinion evidence, including the opinion of
6	ARNP Dahl; Plaintiff's subjective symptom testimony; the Residual Functional
7	Capacity ("RFC") finding; and the step-five finding.
8	Upon proper presentation, this Court will consider Plaintiff's application for
9	costs and attorney's fees under 28 U.S.C. §§ 1920, 2412(d).
10	IT IS FURTHER ORDERED that Plaintiff's Motion for Summary
11	Judgment, ECF No. 11, is DENIED AS MOOT.
12	IT IS SO ORDERED. The District Court Clerk is directed to enter this
13	Order and provide copies to counsel, enter judgment in favor of Plaintiff, and close
14	the file.
15	DATED September 14, 2022.
16	s/ Rosanna Malouf Peterson
17	ROSANNA MALOUF PETERSON Senior United States District Judge
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ORDER GRANTING PARTIES' STIPULATED MOTION TO REMAND $\sim 2\,$